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8 **UNITED STATES BANKRUPTCY COURT**

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10 **DISTRICT OF NEVADA**

11 In Re Case No. BK-S-10-29572-LBR
 12 Argemino Dominguez Chapter 13
 13 Debtor TRUSTEE: Rick A. Yarnall
 14 Hearing Date: 4/20/2011
 15 Hearing Time: 10:30 a.m.

16 **DEBTOR'S OPPOSITION TO MOTION FOR RELIEF FROM STAY REGARDING**

17 **4105 West Oakey Blvd Las Vegas, NV 89102**

18 Comes now Debtor, Argemino Dominguez ("Debtor"), by and through his legal
 19 counsel, David Crosby, of the law firm of Crosby & Associates, and hereby files this
 20 Opposition to Motion For Relief From Automatic Stay filed by US Bank National
 21 Association, as Trustee for GSAA 2007-7, ("Secured Creditor or "Movant" hereinafter).
 22 This Opposition is based on the Memorandum of Points and Authorities attached hereto
 23 as well as any oral arguments which the court may accept at the time of hearing.

24 **STATEMENT OF FACT**

25 Debtor is the owner of the subject property described as 4105 West Oakey Blvd,
 26 Las Vegas, NV 89102. Debtor filed a Chapter 13 Bankruptcy on or about October 16,
 27 2010. Secured creditor, US Bank National Association, as Trustee for GSAA 2007-7..

28 The Subject Property is a rental property, i.e. a non-primary residence. In his
 29 petition, the Debtor listed the Subject Property at its present value, \$55,000.00. The
 30 Debtor will be filing a motion to value collateral in order to establish the fair market value
 31 of the Subject Property at \$55,000.00.

1 The Debtor intend to purchase the Subject Property through the Chapter 13 plan
2 for the sum of \$55,000.00, over 60 months.

3 **POINTS AND AUTHORITIES**

4 11 USC Section 362 (d) (1) states that the Court may terminate, modify or condition
5 stay

6 "for cause, including the lack of adequate protection of an
7 interest in property of such party in interest;--"

8 ... 11 USC Section 362 (d) (2) the Court may terminate, modify or condition a stay

9 "with respect to a stay of an act against property under
10 subsection (a) of this section, if-

11 (A) the debtor does not have an equity in such
12 property AND
13 (B) such property is not necessary to an effective
14 reorganization

15 **CONCLUSION**

16 THEREFORE, based upon the facts and the points and authorities set forth
17 herein, and any arguments heard at the hearing on this matter, Debtor requests
18 the Motion for Relief from the Automatic Stay be denied and the Debtor intend to purchase
19 the Subject Property through the Chapter 13 plan..

20 DATED this 7th day of April, 2011.

21 CROSBY & ASSOCIATES

22 By: /s/ David M. Crosby
23 DAVID M. CROSBY, ESQ.
24 Nevada Bar No. 003499
25 711 S. 8th St.
26 Las Vegas, Nevada 89101
27 Attorneys for Debtor

CERTIFICATE OF MAILING

I, the undersigned, an employee of the Crosby & Associates, hereby certify that on the 7th day of April, 2011, I deposited in the United States Mail, first class mail, postage pre-paid, and or faxed a true and correct copy of the **Opposition to Motion for Relief from Automatic Stay** to all parties listed below:

Trustee
Rick A. Yarnall
701 South Bridger #820
Las Vegas, NV 89101

Debtor
Argemino Dominguez
2848 Via Stella Street
Henderson, Nevada 89074

Attorney / Special Notice
Tiffany & Bosco, P.A
Wilde & Associates
212 South Jones Boulevard
Las Vegas, Nevada 89107

/s/ Tracey Hutchins
An employee of
CROSBY & ASSOCIATES